

**HALPERIN BATTAGLIA RAICHT, LLP**

555 Madison Avenue – 9<sup>th</sup> Floor  
New York, New York 10022  
(212) 765-9100  
(212) 765-0964 Facsimile  
Donna H. Lieberman, Esq.  
Carrie E. Mitchell, Esq.

**COLE, SCHOTZ, MEISEL,  
FORMAN & LEONARD, P.A.**

A Professional Corporation  
Court Plaza North  
25 Main Street  
P.O. Box 800  
Hackensack, New Jersey 07602-0800  
(201) 489-3000  
(201) 489-1536 Facsimile  
Ilana Volkov, Esq.

Co-Counsel for the Class 10 Liquidation Trust

	:	UNITED STATES BANKRUPTCY COURT
In re:	:	FOR THE DISTRICT OF NEW JERSEY
	:	HON. GLORIA M. BURNS
	:	CASE NO. 08-14631(GMB)
SHAPES/ARCH HOLDINGS L.L.C., <i>et al.</i> ,	:	
	:	
Debtors.	:	Chapter 11
	:	(Jointly Administered)
	:	
		<b>APPLICATION OF THE CLASS 10 LIQUIDATION TRUST FOR ENTRY OF AN ORDER SHORTENING TIME FOR NOTICE OF HEARING ON TRUST’S MOTION FOR AN ORDER GRANTING A FURTHER EXTENSION OF TIME TO FILE OBJECTIONS TO UNSECURED CLAIMS</b>

TO: THE HONORABLE GLORIA M. BURNS,  
UNITED STATES BANKRUPTCY JUDGE:

The Class 10 Liquidation Trust (the “Trust”), established upon the effective date of the Chapter 11 plan of Shapes/Arch Holdings, L.L.C., *et al.*, the above-captioned reorganized debtors and debtors-in-possession (together, the “Debtors”), makes this Application, by and

through the Trustee, for entry of an order shortening time for notice of the hearing on the Trust's motion for an Order granting an extension of time to file objections to general unsecured claims, from November 28, 2008 to January 30, 2009. In support of the Application, the Liquidation Trust respectfully represents:

**JURISDICTION, VENUE AND STATUTORY PREDICATES**

1. The Court has jurisdiction to consider this Application pursuant to 28 U.S.C. §§157 and 1334. Venue of the Application is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
2. The statutory predicates for the relief sought herein are Fed. R. Bankr. P. 9006(c) and D.N.J. LBR 9013-1(e).
3. Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedure authorizes this Court, for cause shown, to reduce the normal twenty (20)-day notice period for a motion imposed by Rule 9013-1(a) of the Local Rules of Bankruptcy Procedure. If the time period is not shortened with regard to the Motion, the next available hearing date, with allowance for notice as required by D.N.J. LBR 9013-1(a), would be December 1, 2008.

**RELIEF REQUESTED AND BASIS THEREFOR**

4. By the Motion, the Trust seeks entry of an order extending the November 28, 2008 deadline for objecting to unsecured claims in these cases. The facts justifying the Trust's request are discussed fully in the accompanying Application in support of the Motion and are incorporated herein by reference.
5. Given the deadline to object to the unsecured claims falls slightly before the next available hearing date under D.N.J. LBR 9013-1(a) and includes an intervening holiday (Thanksgiving), the Trust respectfully requests that notice of the hearing on the Motion be

shortened to ensure that the Trust's rights with respect to unsecured claims objections are not unduly prejudiced and that, therefore, the Court schedule a hearing, subject to the Court's availability, on or before **November 24, 2008**.

6. Reduction of the time period in question is not prohibited under Fed. R. Bankr. P. 9006 (c)(2) and the rules listed therein.

WHEREFORE, the Trust respectfully requests that the Court grant the Application and such other relief that the Court deems just and appropriate under the circumstances.

Respectfully submitted,

**HALPERIN BATTAGLIA RAICHT, LLP**

By: /s/ Donna H. Lieberman  
Donna H. Lieberman, Esq.  
Carrie E. Mitchell, Esq.

**COLE, SCHOTZ, MEISEL,  
FORMAN & LEONARD, P.A.**

By: /s/ Ilana Volkov  
Ilana Volkov

DATED: November 7, 2008